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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: MARK L. LAWRENCE, ET AL. ART UNIT: 1643  
SERIAL NO.: 10/767,441 EXAMINER: UNASSIGNED  
FILING DATE: JANUARY 30, 2004  
FOR: USE OF NOVEL VIRULENCE-SPECIFIC GENES AS TARGETS FOR  
DIAGNOSIS AND POTENTIAL CONTROL OF VIRULENT STRAINS OF  
*LISTERIA MONOCYTOGENES*

**STATEMENT UNDER 37 C.F.R. §1.821-1.825**

ASSISTANT COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

SIR:

I, Perry E. Van Over, declare as follows:

1. That the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR 1.821(c) and (e), respectively, are the same in compliance with 1.821(f).
2. That the submission herein, filed in accordance with 37 CFR 1.821(g), does not include new matter.

Respectfully submitted,

PIPER RUDNICK LLP

Aug 17, 2004  
Date

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